

Document: Proposed Rule, **Register Page Number:** 26 IR 3745

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**TITLE 905 ALCOHOL AND TOBACCO
COMMISSION**

Proposed Rule
LSA Document #03-94

DIGEST

Amends 905 IAC 1-15.2-3 to clarify the conditions under which a minor in a permit premises that has no bar is considered to be loitering. Effective 30 days after filing with the secretary of state.

905 IAC 1-15.2-3

SECTION 1. 905 IAC 1-15.2-3 IS AMENDED TO READ AS FOLLOWS:

905 IAC 1-15.2-3 Loitering

Authority: IC 7.1-2-3-7

Affected: IC 7.1-5

Sec. 3. **(a)** A minor in that part of a restaurant permit premises that has no bar shall be considered to be loitering unless he or she ~~(†)~~ is accompanied by his or her parent, legal guardian, or family member who is twenty-one (21) years of age or older.

(b) A minor in that part of a restaurant permit premises that has no bar who does not meet the conditions of subsection (a) shall be considered to be loitering unless he or she:

~~(2)~~ **(1)** has placed an order for food and said order has not been served;

~~(3)~~ **(2)** is eating; or

~~(4)~~ **(3)** is viewing or listening to lawful nonparticipatory entertainment provided by the establishment; provided, however, that said entertainment may not consist solely of music, whether live or recorded, in which the minor is not a participant.

(Alcohol and Tobacco Commission; 905 IAC 1-15.2-3; filed Feb 20, 1991, 5:05 p.m.: 14 IR 1444; filed Jun 21, 2001, 2:30 p.m.: 24 IR 3651; readopted filed Oct 4, 2001, 3:15 p.m.: 25 IR 941)

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on August 25, 2003 at 10:00 a.m., at the Indiana Government Center-South, 302 West Washington Street, Room E114, Indianapolis, Indiana the Alcohol and Tobacco Commission will hold a public hearing on a proposed amendment to clarify the conditions under which a minor inside a permit premises is considered to be loitering. Copies of these rules are now on file at the Indiana Government Center-South, 302 West Washington Street, Room E114 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Mary L. DePrez
Chairperson
Alcohol and Tobacco Commission